



General Assembly

February Session, 2006

***Amendment***

LCO No. 3844

**\*HB0568503844HDO\***

Offered by:  
REP. BERGER, 73<sup>rd</sup> Dist.

To: Subst. House Bill No. 5685

File No. 219

Cal. No. 159

***"AN ACT CONCERNING BROWNFIELDS."***

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Subdivision (1) of section 22a-134 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective from*  
5 *passage*):

6 (1) "Transfer of establishment" means any transaction or proceeding  
7 through which an establishment undergoes a change in ownership, but  
8 does not mean (A) conveyance or extinguishment of an easement, (B)  
9 conveyance of an establishment through a foreclosure, as defined in  
10 subsection (b) of section 22a-452f or foreclosure of a municipal tax lien  
11 or through a tax warrant sale pursuant to section 12-157, (C)  
12 conveyance of a deed in lieu of foreclosure to a lender, as defined in  
13 and that qualifies for the secured lender exemption pursuant to  
14 subsection (b) of section 22a-452f, (D) conveyance of a security interest,  
15 as defined in subdivision (7) of subsection (b) of section 22a-452f, (E)

16 termination of a lease and conveyance, assignment or execution of a  
17 lease for a period less than ninety-nine years including conveyance,  
18 assignment or execution of a lease with options or similar terms that  
19 will extend the period of the leasehold to ninety-nine years, or from  
20 the commencement of the leasehold, ninety-nine years, including  
21 conveyance, assignment or execution of a lease with options or similar  
22 terms that will extend the period of the leasehold to ninety-nine years,  
23 or from the commencement of the leasehold, (F) any change in  
24 ownership approved by the Probate Court, (G) devolution of title to a  
25 surviving joint tenant, or to a trustee, executor or administrator under  
26 the terms of a testamentary trust or will, or by intestate succession, (H)  
27 corporate reorganization not substantially affecting the ownership of  
28 the establishment, (I) the issuance of stock or other securities of an  
29 entity which owns or operates an establishment, (J) the transfer of  
30 stock, securities or other ownership interests representing less than  
31 forty per cent of the ownership of the entity that owns or operates the  
32 establishment, (K) any conveyance of an interest in an establishment  
33 where the transferor is the sibling, spouse, child, parent, grandparent,  
34 child of a sibling or sibling of a parent of the transferee, (L) conveyance  
35 of an interest in an establishment to a trustee of an inter vivos trust  
36 created by the transferor solely for the benefit of one or more sibling,  
37 spouse, child, parent, grandchild, child of a sibling or sibling of a  
38 parent of the transferor, (M) any conveyance of a portion of a parcel  
39 upon which portion no establishment is or has been located and upon  
40 which there has not occurred a discharge, spillage, uncontrolled loss,  
41 seepage or filtration of hazardous waste, provided either the area of  
42 such portion is not greater than fifty per cent of the area of such parcel  
43 or written notice of such proposed conveyance and an environmental  
44 condition assessment form for such parcel is provided to the  
45 commissioner sixty days prior to such conveyance, (N) conveyance of  
46 a service station, as defined in subdivision (5) of this section, (O) any  
47 conveyance of an establishment which, prior to July 1, 1997, had been  
48 developed solely for residential use and such use has not changed, (P)  
49 any conveyance of an establishment to any entity created or operating  
50 under chapter 130 or 132, or to an urban rehabilitation agency, as

51 defined in section 8-292, or to a municipality under section 32-224, or  
52 to the Connecticut Development Authority or any subsidiary of the  
53 authority, (Q) any conveyance of a parcel in connection with the  
54 acquisition of properties to effectuate the development of the overall  
55 project, as defined in section 32-651, (R) the conversion of a general or  
56 limited partnership to a limited liability company under section 34-199,  
57 (S) the transfer of general partnership property held in the names of all  
58 of its general partners to a general partnership which includes as  
59 general partners immediately after the transfer all of the same persons  
60 as were general partners immediately prior to the transfer, (T) the  
61 transfer of general partnership property held in the names of all of its  
62 general partners to a limited liability company which includes as  
63 members immediately after the transfer all of the same persons as were  
64 general partners immediately prior to the transfer, or (U) acquisition of  
65 an establishment by any governmental or quasi-governmental  
66 condemning authority."